

Present: Warren Doty, Riggs Parker, Frank Fenner, Tim Carroll, Jonathan Revere, Richard Sullivan, Tom Wilson, Melanie Becker, Mark Lovewell, Jackie Mendez-Diez, Jeff Manter, Susan Vaughn, Bart Thorpe, Dr. James Weiss, John Armstrong, Susan Parker, Diane Gandy, Stanley Larsen, Rick Carney.

Minutes

Minutes of October 24th 2006 approved as corrected.

Auditor's Exit Interview

Richard Sullivan of Powers & Sullivan presented the 40 page document to the Selectmen. He said that the town had a pretty good balance sheet and better than 10% set aside, 15% if you considered the un-designated fund balances, and if you included the CPA and Stabilization Funds, Chilmark is outstanding. He said that out budget was \$5.7 million, with 10% of that being for debt service. He called that good and said 12% would be high. He commented that with the Landfill Capping Project coming off the books and 95% collections, the town was good from an overall standpoint and that the town was doing the right things. He commended the Treasurer and Accountant for their commitment to internal controls and acceptance of constructive criticism. The board asked questions about the Financial Report.

Mr. Doty asked about potential increases in assessments due to VTA or Regional School issues and if it was legal to use the Stabilization Fund. Mr. Sullivan said that he liked using Stabilization Funds for a one time extraordinary cost. He pointed out that the change in a regional school funding formula could affect multiple years. He said the Stabilization Fund should not be used to fund recurring charges.

Mr. Sullivan presented the Management Letter to the Selectmen. He pointed out that all communities need to address GASB45. He asked that, to help the town deal with extended absences of the financial staff, an accounting handbook be created. Mr. Parker asked for a sample from Powers & Sullivan. Mr. Sullivan explained how the Tax Collector's bank account should be under the control of the Treasurer and that the staff had already implemented the recommendation. He touched on improvements to the handling of turn-overs. He said that SAS-99 called for each organization to conduct a "risk assessment". In other places, he said this would be to create a process to bring problems to light. For Chilmark it would examine where opportunities for misappropriation exist, such as cash turnovers and the use of town property.

The Selectmen thanked Mr. Sullivan for his work. Mr. Sullivan thanked the town staff, in particular the Accountant and Treasurer for providing the auditors with good and timely information.

COLA Recommendation

The Selectmen received a memorandum from the Personnel Board recommending a Cost Of Living Allowance of 4.3% for Fiscal Year 2008 salaries.

Elementary School

Principal Diane Gandy made a report on the building to the Selectmen. She was accompanied by School Superintendent Dr. James Weiss, School Committee Members Susan Parker and Jeff Manter. Principal Gandy said she was not appearing before the Selectmen for any

money, but to keep them aware of what maintenance needs the elementary has.

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| 1. | Paint newly planed double doors. | Done |
| 2. | Install trench drains at double doors | Needs to be completed |
| 3. | Repair gutter mounting straps | On list |
| 4. | Install additional gutters and down spouts | Keeping an eye on this |
| 5. | Install signage to number rooms | In process, braille was required |
| 6. | Mechanical HVAC | Hired Al Fortes |
| 7. | Doors | Periodically adjusting hardware |
| 8. | School Speed Zone Sign | Ordering replacement |
| 9. | Small Hot water heater for summer | To allow furnace to be shut down |
| 10. | Septic Pumpout | Doing annually |
| 11. | Gutters | |
| 12. | Emergency Lighting not in all rooms | |
| 13. | Ballasts failing in original fluorescent lights | Replaced |
| 14. | Simplex Fire Alarm | Expensive and difficult to schedule |
| 15. | FSS Sprinkler maintenance company | Exploring new vendor |

Principal Gandy said she was trying to keep on top of all maintenance issues. She reported that the SOLAR photovoltaic array was about to be installed on the roof of the building at the Cape Light Compact's expense. She said that it will be linked to their computer network.

Mr. Doty said that there was \$13,000 left in the account to repair the school and suggested that it could be put towards the gutters. Mr. Manter said that with that \$13,000 most of the projects could be accomplished in a more timely manner.

The group discussed the DOE regional school funding formula. Dr. Weiss said that he expected numbers from Jeff Wulfson soon.

Shellfish - Commercial Oyster Season

Shellfish Constable Stanley Larsen presented his memorandum asking to open the Tisbury and Squibnocket Great Ponds to commercial harvest at two (2) bushels a day on Monday, Tuesday & Wednesday of each week. The board discussed the status of the bay scallop harvest and how it was taking a day to catch a bushel to a bushel and a half.

Rick Carney reported good news from the latest pathology reports on Tisbury Great Pond oysters. He said that only 40% of the animals had Dermo and of those, the intensity was only 1.3 (2.0+ would be likely to die). He said the current animals are not going to die from the Dermo. He asked that the older large oysters (3+years, 3 ½ to 4") not be fished out this season as they are the disease resistant brood stock. There was some discussion about cross breeding these oysters with animals from Edgartown to create more resistant stock.

There was discussion of the available market, number of fishermen likely to go for oysters, and the meat size/quality. Mr. Fenner said that they could open the season now and have the Constable report back in December.

Mr. Doty moved and Mr. Fenner seconded a motion to open the commercial oyster season, with a limit of 2 struck bushels, fishing on Monday, Tuesday & Wednesday only, no make-up days, one species per day and to start next week. SO VOTED: Three Ayes.

Shellfish Department Committee

The Selectmen received a memorandum from the Personnel Board at their last meeting encouraging them to create a shellfish committee to develop a plan for the shellfish department. Mr. Parker distributed a draft mission statement with five parts, labeled A - E. Mr. Doty said he could

agree with A & B and that the committee should come back to the Selectmen at that point. Mr. Parker and Mr. Fenner agreed. Mr. Doty suggested that there be 5 members and 2 ex official (mike Syslo and Stanley Larsen).

Mr. Doty asked for discussion on the possibility of using the annual seed money to buy larger seed from Taylor in Fairhaven. Mr. Carney said that it was brightly colored and had a higher predation rate. He also said that the island hatchery he runs uses natural vineyard brood stock and that Taylor buys theirs from Maine.

Mr. Doty asked why the town wasn't actively participating in the polluted quahog program in which animals from polluted waters are transplanted to clean waters and allowed to self clean over a period of time and then harvested. Constable Larsen said he had mixed feelings about bringing in polluted animals from other areas of the state. It was agreed the new committee could research this.

Constable Larsen said that many hours are involved in raising shellfish. It was discussed that communications with the new committee is important. An idea was to have one member of the Planning Board or Selectmen at the committee's meeting to bounce ideas off of. It was agreed that the committee needed a biologist and should use Rick's skills. Rick Carney suggested that the committee should look into what works and how in other towns. He said the difference between other towns and Chilmark was the use of bigger staffs.

Expectations and a time-line were discussed. It was agreed the committee should report back to the Selectmen by the end of December and issue a final written report by mid-January. Mr. Doty asked that the committee start meeting next week.

Mr. Doty moved and Mr. Fenner seconded a motion to appoint Jim Morgan, John Larsen, Emmett Carroll, Everett Poole, Karsten Larsen, and John Armstrong to the Shellfish Restoration Committee. SO VOTED: Three Ayes. It was agreed Constable Larsen would call the first meeting for next week. Constable Larsen said he would communicate through the Executive Secretary.

Nomination Of DRI

Jackie Mendez-Diez came before the Selectmen with a request that the development taking place on the properties beyond her home be nominated to the MV Commission as a Development of Regional Impact so that her concerns could be addressed. She compared this situation to the referral of the Girl Scouts earlier in the year.

Mr. Doty explained that in the case of the Girl Scouts there was a Special Permit process involved for a new facility and a question of whether the size of the project was larger than reported. In this case he said there is no permit in question and no clear development to point at.

Ms. Mendez-Diez presented maps and photographs to the board. Mr. Parker recognized one of the commercial vehicles as that of his step-son's and recused himself to leave the meeting at this time. After a twenty minute discussion, Mr. Fenner suggested that the Selectmen take this request under advisement and visit the site. Mr. Doty agreed.

Mr. Thorpe said that he didn't know of any issues with the town. He said that Ms. Mendez-Diez has chosen to harass the Davids family and is now harassing his family. He said that there is a lot of acreage involved and that no unusual activity was going on.

Mr. Doty thanked Mr. Thorpe for his comments and Mr. Fenner thanked Ms. Mendez-Diez for bringing this to the board's attention. Mr. Parker returned to the meeting.

GASB 45

Mr. Doty moved and Mr. Fenner seconded a motion to join with the other island units of the Dukes County Retirement Board to contract with their consultant to do the amortization required by

GABS45 of future health benefit costs for retirees, and to further pursue having the biennial report done as part of the DCRB's regular actuarial reports. SO VOTED: Three Ayes.

Youth Lot Agreement

As this document arrived this afternoon, it was postponed to the next meeting of the Selectmen.

Hariph's Creek

There was discussion about the re-paving of the boat ramp approach from the highway. Mr. Doty moved and Mr. Fenner seconded a motion to re-pave the approach to the boat ramp from State Road to the top of the new concrete mat and leave the parking area gravel. SO VOTED: Three Ayes.

Harbor - Filled Dock

The Selectmen asked that the Superintendent of Streets look at the sink hole on the filled dock and effect repairs. This will be funded from the Harbor Maintenance budget line.

MV Hospital - Table Top Exercise

Mr. Parker spoke about the need for the town to participate in Island Emergency Planning exercises. Mr. Doty moved and Mr. Fenner seconded a motion to direct the departments mentioned in the letter from the MV Hospital to participate in the December 16th 2006 Table Top Exercise. SO VOTED: Three Ayes.

Harbor - Slips 12 & 13

It was agreed to have Mr. Carroll pursue the Army Corps of Engineers permit to allow the relocation of pilings to create a 14th slip after the Act of Congress de-authorizes a section of the federal navigation project in Menemsha Harbor.

Harbor - Electrical

At Chairman Parker's request, Mr. Carroll proposed that the seasonal charge for electrical service on the West Dock Floats be \$400 for 50 Amp, \$150 for 30 Amp and \$50 for 15 Amp. He proposed that the daily rate be \$10 for 50 Amp, \$5 for 30 Amp and no charge for occasional use of the 15 Amp.

Mr. Doty and Mr. Fenner seconded a motion to approve a seasonal charge for 50 Amp service of \$400, a seasonal charge for 30 Amp service at \$150, and a seasonal charge for 15 Amp of \$50. SO VOTED: Three Ayes.

Joint Transportation Committee

Mr. Doty proposed the appointment of Mr. Dan Greenbaum as the town's alternate to the JTC. Mr. Greenbaum is a retired traffic planner. Mr. Doty moved and Mr. Fenner seconded a motion to appoint Dan Greenbaum as their Alternate to the Joint Transportation Committee. SO VOTED: Three Ayes.

Harbor - Trash Removal

Mr. Bandi proposed continuing the trash service with 5 barrels at \$175 a week through the winter. Mr. Doty moved and Mr. Fenner seconded a motion to accept this proposal for a month and reconsider on December 5th. SO VOTED: Three Ayes.

CPA - Stone Wall Repairs

Mr. Doty moved and Mr. Fenner seconded a motion to authorize the chairman to sign any necessary contract with Morgan Stone for the repair of the stonewalls. SO VOTED: Three Ayes.

Comfort Station

Mr. Fenner inquired about the Board of Health memorandum suggesting changes to the Comfort Station next spring. It was tabled until the next meeting.

Meeting was adjourned at 10:08 PM.

APPROVED: December 5th 2006